



THE CITY OF SAN DIEGO

Date of Notice: November 8, 2004

NOTICE OF PUBLIC HEARING

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	Wednesday, November 24, 2004
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	City Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE:	Map Waiver, Waiver of Undergrounding and a Coastal Development Permit
PROJECT NO:	<u>42022</u>
PROJECT NAME:	<u>FAY AVENUE MAP WAIVER</u>
APPLICANT:	Juan P. Mariacal
COMMUNITY PLAN AREA:	La Jolla
COUNCIL DISTRICT:	District One (1)
CITY PROJECT MANAGER:	Robert Korch
PHONE NUMBER:	(619) 446-5229

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Map Waiver and Waiver of Undergrounding No. 119945 and Coastal Development Permit No. 119948 to convert two dwelling units under construction to condominium ownership on a 8,572 square-foot, RM-1-1 zoned site within the Coastal Overlay Zone (non-appealable area), Coastal Height Limit and within the boundaries of the la Jolla Community Plan at 7201 Fay Avenue.

Should the condominium conversion project be approved, tenants may be required to vacate the premises. No units may be sold in this building unless the conversion is approved by the city and until after a public report is issued by the Department of Real Estate. Each tenant has the exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right

The decision of the Hearing Officer is final unless appealed to the PLANNING COMMISSION. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. To file an appeal to the Planning Commission contact staff at the Planning Department, 202 "C" Street, Fifth Floor, San Diego, CA; **OR** To file an appeal to the Board of Zoning Appeals, contact staff at the Planning Department at 202 "C" Street, Fifth Floor, San Diego, CA. The appeal must be made within 10 working days of the Hearing Officer's decision.

The certification of an Environmental Impact Report, adoption of a Mitigated Negative Declaration or Negative Declaration, or determination that the project is exempt from the California Environmental Quality may be appealed to the City Council **after all other appeal rights have been exhausted.** All such appeals must be filed by 5:00 PM within ten (10) business days from the date of the Planning Commission's certification/adoption of the environmental document. The proper forms are available from the City Clerk's Office, located on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101.

The decision made by the PLANNING COMMISSION is the final decision by the City.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call the Disability Services Program Coordinator at 236-5679, at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Job Order No. 42-3015

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